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Marian Sheppard, BOS
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07/07/2009 08:40:51 AM Receipt #: 09-4491
Rec Fee: \$0 Gila County Bos - Marian Sheppard
Gila County, Az, Sadie Tomerlin Dalton, Recorder



RESOLUTION

NO. 09-06-03

A RESOLUTION OF THE BOARD OF SUPERVISORS OF GILA COUNTY, ARIZONA, ACCEPTING THE PETITIONS AND THE CERTIFICATION THAT SAID PETITIONS WERE SIGNED BY TWO THIRDS OF THE MEMBERS OF THE STRAWBERRY HOLLOW PROPERTY OWNERS ASSOCIATION, PHASE I AND II AND VACATING PUBLIC ROADWAYS WITHIN THE STRAWBERRY HOLLOW SUBDIVISION, PHASE I & II.

WHEREAS, the Board of Supervisors has received a petition for the vacating of public roadways within the Strawberry Hollow Subdivision, Phase I & II; and

WHEREAS, said petition conforms to the requirements of *Arizona Revised Statutes § 28-6701 B*; and

WHEREAS, said petition sets forth the names of the roadways to be vacated, the boundaries and a map of the Strawberry Hollow Subdivision *Exhibits A and B*; and

WHEREAS, said petition has been signed by two thirds of the members of the Strawberry Hollow Property Owners Association, Phase I and II, the Strawberry Hollow property Association Phase I and II includes the owners of the land abutting the roadway or portion of the roadway to be vacated, and the Strawberry Hollow Property Owners Association Phase I and II owners association has rights and remedies under covenants, conditions, or restrictions of title to maintain the vacated roadway and to assess all members of the association for the maintenance of the roadway pursuant to *Arizona Revised Statutes §§ 28-7201 et seq.*, and that pursuant to *Arizona Revised Statutes §§ 28-6701 & 28-7206* this Board of Supervisors may summarily vacate the public roads within the Strawberry Hollow Subdivision to the Strawberry Hollow Property Owners Association; and

WHEREAS, the roadways within the Strawberry Hollow Subdivision are not necessary for public use as a roadway pursuant to *Arizona Revised Statutes § 28-7202*; and

WHEREAS, vacating of the public roads in the Strawberry Hollow Subdivision furthers the public health, safety and welfare of the property owners and occupants of the property within the proposed district; and

WHEREAS, the public roadways to be vacated have no public use or market value and that the Strawberry Hollow Property Owners Association agrees to assume the costs of maintaining the roadway and the liability for the roadway and pursuant to *Arizona Revised*

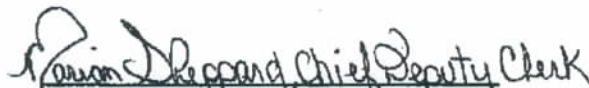
ADOPTED this 23rd day of June, 2009.



GILA COUNTY BOARD OF SUPERVISORS


Shirley L. Dawson, Chairman, Board of Supervisors

ATTEST:


for Marion Sheppard, Chief Deputy Clerk
Steven L. Besich, Clerk of the Board

APPROVED AS TO FORM:


Bryan B. Chambers, Chief Deputy County Attorney

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EXHIBIT A

BOUNDARIES OF THE STRAWBERRY HOLLOW SUBDIVISION

The SE ¼ of Section 26, T. 12 N, R 8 E of the G & SR B&M, Gila County, Arizona.

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EXHIBIT B

STRAWBERRY HOLLOW SUBDIVISION MAP
Official Map Nos. 732A, 732B, 758A, and 758B, Gila County Records, Gila
County, Arizona.